

Bill No. SB 342

Barcode 560374

CHAMBER ACTION

Senate

House

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Senator Argenziano moved the following amendment:

Senate Amendment (with title amendment)

On page 3, between lines 3 and 4,

insert:

Section 3. Subsections (1), (4), (7), and (10) of section 550.334, Florida Statutes, are amended to read:

550.334 Quarter horse racing; substitutions.--

(1) Subject to all the applicable provisions of this chapter, any person who possesses the qualifications prescribed in this chapter may apply to the division for a permit to conduct quarter horse race meetings and racing under this chapter. The applicant must demonstrate that the location or locations where the permit will be used are available for such use and that she or he has the financial ability to satisfy the reasonably anticipated operational expenses of the first racing year following final issuance of the permit. If the racing facility is already built, the application must contain a statement, with reasonable supporting evidence, that the permit will be used for quarter

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1 horse racing within 1 year after the date on which it is
 2 granted; if the facility is not already built, the application
 3 must contain a statement, with reasonable supporting evidence,
 4 that substantial construction will be started within 1 year
 5 after the issuance of the permit. After receipt of an
 6 application, the division shall convene to consider and act
 7 upon permits applied for. The division shall disapprove an
 8 application if it fails to meet the requirements of this
 9 chapter. Upon each application filed and approved, a permit
 10 shall be issued setting forth the name of the applicant and a
 11 statement showing qualifications of the applicant to conduct
 12 racing under this chapter. If a favorable referendum on a
 13 pari-mutuel facility has not been held previously within the
 14 county, then, before a quarter horse permit may be issued by
 15 the division, a referendum ratified by a majority of the
 16 electors in the county is required on the question of allowing
 17 quarter horse races within that county; ~~but if there is an~~
 18 ~~extraordinary vote of the board of county commissioners of~~
 19 ~~that county to allow quarter horse racing, the requirement for~~
 20 ~~a referendum does not apply.~~

21 (4) Section ~~Sections~~ 550.054 is, ~~550.0651, and 550.175~~
 22 ~~are~~ inapplicable to quarter horse racing as permitted under
 23 this section. All other provisions of this chapter apply to,
 24 govern, and control such racing, and the same must be
 25 conducted in compliance therewith.

26 (7)(a) Any quarter horse racing permitholder operating
 27 under a valid permit issued by the division is authorized to
 28 substitute ~~other~~ races of other breeds of horses, except
 29 thoroughbreds, which are, respectively, registered with the
 30 American Paint Horse Association, Appaloosa Horse Club,
 31 Arabian Horse Registry of America, ~~Jockey Club~~, Palomino Horse

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1 Breeders of America, or United States Trotting Association,
 2 for no more than 50 percent of the quarter horse races daily,
 3 and may substitute races of thoroughbreds registered with the
 4 Jockey Club for no more than 50 percent of the quarter horse
 5 races daily with the written consent of all greyhound,
 6 harness, and thoroughbred permitholders whose pari-mutuel
 7 facilities are located within 50 air miles of such quarter
 8 horse racing permitholder's pari-mutuel facility.

9 (b) Any permittee operating within an area of 50 air
 10 miles of a licensed thoroughbred track may not substitute
 11 thoroughbred races under this section while a thoroughbred
 12 horse race meet is in progress within that 50 miles. Any
 13 permittee operating within an area of 125 air miles of a
 14 licensed thoroughbred track may not substitute live
 15 thoroughbred races under this section while a thoroughbred
 16 permittee who pays taxes under s. 550.09515(2)(a) is
 17 conducting a thoroughbred meet within that 125 miles. These
 18 mileage restrictions do not apply to any permittee that holds
 19 a nonwagering permit issued pursuant to s. 550.505. ~~Races~~
 20 ~~comprised of thoroughbred horses under this section registered~~
 21 ~~with the Jockey Club may not be permitted during the period~~
 22 ~~beginning September 1 and ending January 5 of each year in any~~
 23 ~~county where there are one or more licensed dog tracks~~
 24 ~~conducting race meets. This section does not affect the~~
 25 ~~competitive award of matinee performances to jai alai frontons~~
 26 ~~or dog tracks in opposition to races comprised of thoroughbred~~
 27 ~~horses registered with the Jockey Club under this section.~~

28 (10) Intertrack wagering shall not be authorized for
 29 any quarter horse permitholder without the written consent of
 30 all greyhound, harness, and thoroughbred permitholders whose
 31 pari-mutuel facilities are located within 50 air miles of such

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1 ~~quarter horse permitholder's pari-mutuel facility an existing~~
2 ~~greyhound track unless such quarter horse permitholder has~~
3 ~~incurred a minimum capital expenditure of at least \$7.5~~
4 ~~million. "Capital expenditure" means an expenditure, including~~
5 ~~an expenditure for a construction project undertaken by a~~
6 ~~quarter horse permitholder as its own contractor, which, under~~
7 ~~generally accepted accounting principles, is not properly~~
8 ~~chargeable as an expense of operation and maintenance; and~~
9 ~~includes the cost, in current value, of the studies, surveys,~~
10 ~~designs, plans, working drawings, specifications, refinancing~~
11 ~~costs, and other activities essential to the acquisition,~~
12 ~~improvement, expansion, or replacement of the plant and~~
13 ~~equipment.~~

14 Section 4. Paragraph (a) of subsection (5) and
15 paragraph (a) of subsection (17) of section 849.086, Florida
16 Statutes, are amended to read:

17 849.086 Cardrooms authorized.--

18 (5) LICENSE REQUIRED; APPLICATION; FEES.--No person
19 may operate a cardroom in this state unless such person holds
20 a valid cardroom license issued pursuant to this section.

21 (a) Only those persons holding a valid cardroom
22 license issued by the division may operate a cardroom. A
23 cardroom license may only be issued to a licensed pari-mutuel
24 permitholder and an authorized cardroom may only be operated
25 at the same facility at which the permitholder is authorized
26 under its valid pari-mutuel wagering permit to conduct
27 pari-mutuel wagering activities. ~~Cardroom licenses are not~~
28 ~~transferable.~~

29 (17) CHANGE OF LOCATION; REFERENDUM.--

30 (a) Notwithstanding any provisions of this section, no
31 cardroom gaming license issued under this section shall be

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1 transferred, or reissued when such reissuance is in the nature
2 of a transfer, so as to permit or authorize a licensee to
3 change the location of the cardroom except upon proof in such
4 form as the division may prescribe that a referendum election
5 has been held:

6 1. If the proposed new location is within the same
7 county as the already licensed location, in the county where
8 the licensee desires to conduct cardroom gaming and that a
9 majority of the electors voting on the question in such
10 election voted in favor of the transfer of such license.
11 However, the division shall transfer, without the requirement
12 of a referendum election, the cardroom license of any
13 permitholder that relocated its permit pursuant to s.
14 550.0555.

15 2. If the proposed new location is not within the same
16 county as the already licensed location, in the county where
17 the licensee desires to conduct cardroom gaming and that a
18 majority of the electors voting on that question in each such
19 election voted in favor of the transfer of such license.

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21 (Redesignate subsequent sections.)

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24 ===== T I T L E A M E N D M E N T =====

25 And the title is amended as follows:

26 On page 1, lines 2-12, delete those lines

27
28 and insert:

29 An act relating to pari-mutuel permitholders;
30 amending s. 550.002, F.S.; redefining the term
31 "full schedule of live racing or games" for

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1 certain jai alai permitholders; amending s.
2 550.09511, F.S.; providing for license fees and
3 taxes for certain jai alai permitholders;
4 assessing a fee for a jai alai permitholder
5 that fails to apply for and be issued an annual
6 license to conduct performances; providing for
7 disposition of the fee by rule of the division;
8 amending s. 550.334, F.S.; revising permitting
9 and operational requirements for quarter horse
10 permitholders; amending s. 849.086, F.S.;
11 removing a prohibition on the transfer of
12 cardroom licenses; providing for transfer of
13 the cardroom license when a permit is relocated
14 within a county under certain conditions;
15 providing an effective date.

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